

AN ACT

ENTITLED, An Act to revise certain provisions regarding creditable health insurance coverage.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 58-17-85 be amended to read as follows:

58-17-85. If a person has an aggregate of at least twelve months of creditable coverage, is a resident of this state, and applies within sixty-three days of the date of losing prior creditable coverage, the person is eligible for coverage as provided for in §§ 58-17-68, 58-17-70, 58-17-85, and 58-17-113 to 58-17-142, inclusive, if none of the following apply:

- (1) The applicant is eligible for continuation of coverage under an employer plan;
- (2) The applicant's most recent creditable coverage is a conversion plan from an employer group plan;
- (3) The person is eligible for an employer group plan, Part A or Part B of medicare, or medicaid;
- (4) The person has other health insurance coverage;
- (5) The person's most recent coverage was terminated because of the person's nonpayment of premium or fraud;
- (6) The person loses coverage under a short term or limited duration plan; or
- (7) The person's last coverage was creditable coverage as defined in subdivision 58-17-69(13).

Any person who has exhausted continuation rights and who is eligible for conversion or other individual or association coverage has the option of obtaining coverage pursuant to this section or the conversion plan or other coverage. A person who is otherwise eligible for the issuance of coverage pursuant to this section may not be required to show proof that coverage was denied by another carrier.

For purposes of this section, reasonable evidence that the prospective enrollee is a resident of this state shall be required. Factors that may be considered include a driver's license, voter registration, and where the prospective enrollee resides.

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I certify that the attached Act
originated in the

SENATE as Bill No. 30

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 30

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State